

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MASSOUMEH SOUFIMANESH,

*Plaintiff,*

v.

U.S BANK, N.A.,

*Defendant.*

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Case No. 4:12cv295  
(Judge Clark/Judge Mazzant)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 21, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that defendant U.S. Bank National Association's Motion to Dismiss [Doc. #6] be granted in part and denied in part.

The court, having made a *de novo* review of defendant's objections [Doc. #14], is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that defendant U.S. Bank National Association's Motion to Dismiss [Doc. #6] is **DENIED**, except that plaintiff's claim for violation of the DTPA is DISMISSED.

So **ORDERED** and **SIGNED** this 7 day of **September, 2012**.



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Ron Clark, United States District Judge